

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

RIKA JONES, As Administratrix of the Estate of
ROBERT LOGGINS; RIKA JONES, Individually
and on Behalf of the Wrongful Death Beneficiaries
of ROBERT LOGGINS, Deceased; and RIKA JONES,
As Mother and Next Friend of R.D.L, a Minor.

PLAINTIFFS

VERSUS

No. 4:20cv220-SA-JMV

JUSTIN GAMMAGE, REGGIE WOODALL,
EDWIN MERRIMAN, MICHAEL JONES, and
ALBERT DEANE TILLEY, In Their Individual Capacities;
MOBILE MEDIC AMBULANCE SERVICE, INC.
D/B/A AMR and AMERICAN MEDICAL RESPONSE;
AND CORRECTIONS MANAGEMENT SERVICES, INC.

DEFENDANTS

RESPONSE IN OPPOSITION TO ALBERT DEANE TILLEY'S MOTION FOR SUMMARY
JUDGMENT

COME NOW the Plaintiffs, by and through counsel of record, and file this, their memorandum in opposition to the motion for summary judgment of Defendant Albert Deane Tilley and his joinder to a similar motion of his co-defendants. [Docket #109, 114]. Plaintiffs provide as follows:

I. INTRODUCTION

This matter begins with an unarmed man screaming for help and ends with his death under the body weight of Albert Dean Tilley, who knelt on his neck and sat on his head for more than three minutes, suffocating this handcuffed man to death on the jail room floor after a jailer implored Defendant Tilley to take him to the hospital. Defendant Tilley misrepresented these events to MBI investigators. At the scene of his arrest, officers tased the decedent, Robert Loggins, no less than nine times, struck him with a flashlight nine times, tussled with him in a state of

medical distress, and then Defendant Tilley misrepresented these events to investigators. Defendant Tilley now maintains that he is due protection under the doctrine of qualified immunity.

For the reasons set forth in Plaintiffs' *Memorandum Brief* filed this day, which is adopted by reference as if set forth fully herein, the motion is due to be denied. In support of Plaintiffs' response in opposition are attached the following documents and tangible things:

Exhibit A, 911 Call
Exhibit B, Merriman Body Cam Video
Exhibit C, Woodall Body Cam Video
Exhibit D, Jones Body Cam Video
Exhibit E, Jail Video (Sally Port)
Exhibit F, Jail Video (Booking Room)
Exhibit G, Jail Video (Booking Room – Zoomed In)
Exhibit H, Arnall Dec. and CV
Exhibit I, Gammage Statement, RL00028-00038
Exhibit J, Woodall Statement, RL00039-00051
Exhibit K, Tilley Statement, RL00052-00067
Exhibit L, Jones Statement, RL00068-00082
Exhibit M, Sanders Statement, RL00083-00087
Exhibit N, Merriman Statement, RL00088-00099
Exhibit O, Clark Statement, RL00124-00128
Exhibit P, Johnson Statement, RL00129-00134
Exhibit Q, Harvey Statement, RL00118-00123
Exhibit R, Clark Report, RL00190
Exhibit S, Sanders Report, RL00191
Exhibit T, Johnson Report, RL00192
Exhibit U, Harvey Report, RL00193
Exhibit V, Grenada Taser Report, RL00224-225
Exhibit W, AMR Records, RL00210-213
Exhibit X, Grenada County Jail Log, 258
Exhibit Y, X26 Taser Manufacturer Warnings
Exhibit Z, X26 Taser Report, November 29, 2018
Exhibit AA, Department of Justice Bulletin
Exhibit BB, Mississippi Law Enforcement Officer Training Academy Documents

Exhibits A-G will be filed conventionally.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs request that the motion for

summary judgment be denied. Plaintiffs request such other general or specific relief to which they may be entitled in the premises.

It is respectfully submitted, this the 4th day of April, 2022.

RIKA JONES, As Administratrix of the Estate of ROBERT LOGGINS; RIKA JONES, Individually and on Behalf of the Wrongful Death Beneficiaries of ROBERT LOGGINS, Deceased; and RIKA JONES, As Mother and Next Friend of R.D.L, a Minor

By and through their counsel,

/s/ Jacob B. Jordan

Jacob B. Jordan, MSB #104230
J. Rhea Tannehill, Jr., MSB #10449
TANNEHILL, CARMEAN & McKENZIE, PLLC
829 North Lamar Blvd. Suite #1
Oxford, Mississippi 38655
Telephone: (662)236-9996
Facsimile: (662)234-3949
E-mail: jacob@tannehillcarmean.com
jrt@tannehillcarmean.

Victor I. Fleitas, MSB #10259
fleitasv@bellsouth.net
VICTOR I. FLEITAS, P.A.
452 North Spring Street
Tupelo, Mississippi 38804
(662) 840-0270 / Telephone
(662) 840-1047 / Facsimile

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, Jacob B. Jordan, counsel for Plaintiff, hereby certify that I have this day served the above and foregoing to the following counsel for Defendants pursuant to the Federal Rules of Civil Procedure.

Steven J. Griffin, Esq.
Daniel Coker Horton & Bell, P.A.
Post Office Box 1084
Jackson, Mississippi 39215-1084
sgriffin@danielcoker.com
Attorney for Corrections Management Services, Inc.

Thomas R. Julian, Esq.
Daniel Coker Horton & Bell, P.A.
Post Office Box 1084
Jackson, Mississippi 39215-1084
Tjulian@danielcoker.com
Attorney for Mobile Medical Ambulance Service, Inc. D/B/A AMR and American Medical Response, John Watson, and Jennifer Howell

G. Todd Butler, Esq.
Phelps Dunbar, LLP
4270 I-55 North
Jackson, Mississippi 39211-6391
Todd.Butler@phelps.com
Attorney for Justin Gammage, Edwin Merriman, Reggie Woodall, Albert Deane Tilley, Michael Jones, and City of Grenada

This the 4th day of April, 2022.

/s/ Jacob B. Jordan
JACOB B. JORDAN
Counsel for Plaintiffs